

Michael I. Wayne, Esq. (CSB # 169840)  
mwayne@gglt.com  
Gary E. Scalabrini, Esq. (CSB # 161902)  
gscalabrini@gglt.com  
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP  
1880 Century Park East, 12th Floor  
Los Angeles, California 90067-1621  
(310) 552-3400  
Fax (310) 552-0805

Attorneys for Third-Party Defendant  
SQUARE D COMPANY, a Delaware corporation

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

THE UNITED STATES OF AMERICA,  
for the use and benefit of SUMMERS  
GROUP, INC. a Delaware corporation  
doing business as REXEL PACIFIC,

Use-Plaintiff,

V.

MID VALLEY ELECTRIC &  
COMMUNICATIONS, INC., a  
corporation dba CLYDÉ G. STEAGALL,  
INC.; FIREMAN'S FUND  
INSURANCE COMPANY, a California  
corporation,

## Defendants.

## AND RELATED COUNTERCLAIM

SUMMERS GROUP, INC. a Delaware corporation doing business as REXEL PACIFIC,

### Third-Party Plaintiff,

V.

SQUARE D COMPANY, a corporation,

### **Third-Party Defendant.**

Case No.: C04 05458 RMW/HRL

**STIPULATION FOR DISMISSAL  
OF ENTIRE ACTION AND  
[ ] ORDER THEREON**

[F.R.C.P. 41]

[Assigned to Judge Ronald M. Whyte]

GIBBS, GIDEN, LOCHER, TURNER & SENET LLP

1 TO THE CLERK OF THE COURT:

2  
3 IT IS HEREBY STIPULATED, by and between Use-Plaintiff, Counter-  
4 Defendant and Third Party Plaintiff, SUMMERS GROUP, INC. a Delaware  
5 corporation doing business as REXEL PACIFIC ("REXEL"), Defendant and  
6 Counterclaimant, MID VALLEY ELECTRIC & COMMUNICATIONS, INC., a  
7 corporation dba CLYDE G. STEAGALL, INC. ("STEAGALL"), Defendant,  
8 FIREMAN'S FUND INSURANCE COMPANY, a California corporation  
9 ("FIREMAN'S"), and Third Party Defendant SQUARE D COMPANY, a corporation  
10 ("SQUARE D"), the parties to the above-entitled action, by and through their  
11 respective counsel of record, pursuant to Federal Rules of Civil Procedure Rule 41,  
12 that the above-entitled matter, including the Complaint, the Counter Claims and the  
13 Third Party Complaint, be dismissed, in its entirety, with prejudice.

14  
15 IT IS FURTHER STIPULATED that this Stipulation may be executed in  
16 counterparts and that a facsimile copy of any signature shall be binding and may be  
17 filed with the Court as an original signature.

18  
19 **IT IS SO STIPULATED.**

20  
21 DATED: 11/14/11

WALSH & WALSH, P.C.

22 By: 

23 Michael J. Walsh, Esq.

24 Attorneys for Use-Plaintiff, Counter-Defendants and  
Third Party Plaintiff,

25 THE UNITED STATES OF AMERICA, for the use  
and benefit of SUMMERS GROUP, INC. a Delaware  
26 corporation doing business as REXEL PACIFIC

DATED: 11-14-10

THURBON & MCHANAY, LP

By:

Robert E. Thurbon, Esq.

Atorneys for Defendants and Counter-Claimants,  
MID VALLEY ELECTRIC & COMMUNICATIONS,  
INC., a corporation dba CLYDE G. STEAGALL,  
INC.; FIREMAN's FUND INSURANCE COMPANY

DATED: 11-14-11

GIBBS, GIDEN, LOCHER, TURNER & SENET LLP

By:

Michael I. Wayne

Atorneys for Third-Party Defendant  
SQUARE D COMPANY, a Delaware corporation

**THE FOREGOING IS SO ORDERED.**

Dated: FFB-1, 2011

By: Ronald M. Whyte  
Honorable Ronald M. Whyte